

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name: that I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural names are listed below) of the subject matter claimed and for which a patent is sought in the application entitled:

Resin composition and multi-layer container using the same

which application is:

☒ the attached application  
(for original application)

☐ application Serial No. \_\_\_\_\_  
filed \_\_\_\_\_, and amended on \_\_\_\_\_

(for declaration not accompanying application)

that I have reviewed and understand the contents of the specification of the above-identified application, including the claims, as amended by any amendment referred to above; that I acknowledge my duty to disclose information of which I am aware and which is material to the examination of this application under 37 C.F.R. 1.56; and that I hereby claim foreign priority benefits under Title 35, United States Code §119, §172 or §365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified on said list any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application on which priority is claimed:

Application Number	Country	Filing Date	Priority Claimed (yes or no)
374947/00	Japan	December 8, 2000	yes
130181/01	Japan	April 26, 2001	yes

I hereby claim the benefit of Title 35, United States Code §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in a listed prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge my duty to disclose any material information under 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status (patented, pending, abandoned)
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I hereby appoint John H. Mion, Reg. No. 18,879; Donald E. Zinn, Reg. No. 19,046; Thomas J. Macpeak, Reg. No. 19,292; Robert J. Seas, Jr., Reg. No. 21,092; Darryl Mexic, Reg. No. 23,063; Robert V. Sloan, Reg. No. 22,775; Peter D. Olexy, Reg. No. 24,513; J. Frank Osha, Reg. No. 24,625; Waddell A. Biggart, Reg. No. 24,861; Robert G. McMorrow, Reg. No. 19,093; Louis Gubinsky, Reg. No. 24,835; Neil B. Siegel, Reg. No. 25,200; David J. Cushing, Reg. No. 28,703; John R. Inge, Reg. No. 26,916; Joseph J. Ruch, Jr., Reg. No. 26,577; Sheldon I. Landsman, Reg. No. 25,430; Richard C. Turner, Reg. No. 29,710; Howard L. Bernstein, Reg. No. 25,665; Alan J. Kasper, Reg. No. 25,426; Kenneth J. Burchfiel, Reg. No. 31,333; Gordon Kit, Reg. No. 30,764; Susan J. Mack, Reg. No. 30,951; Frank L. Bernstein, Reg. No. 31,484; Mark Boland, Reg. No. 32,197; William H. Mandir, Reg. No. 32,156; Scott M. Daniels, Reg. No. 32,562; and Brian W. Hannon, Reg. No. 32,778, my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and request that all correspondence about the application be addressed to SUGHRUE, MION, ZINN, MACPEAK & SEAS, 2100 Pennsylvania Avenue, N.W., Washington, D.C. 20037.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date <u>November 21, 2001</u>	First Inventor <u>Atsushi Kikuchi</u>	First Name <u>Atsushi</u>	Middle Initial <u>K</u>	Last Name <u>Kikuchi</u>
Residence <u>Yokohama</u>	Signature <u>Atsushi Kikuchi</u>			
<u>Japan</u>	Post Office Address <u>c/o Toyo Seikan Group Corporate Research &amp; Development, 22-4, Okazawa-cho, Hodogaya-ku, Yokohama, Japan</u>			
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Residence \_\_\_\_\_  
Citizenship \_\_\_\_\_

Sixth Inventor \_\_\_\_\_  
First Name Middle Initial Last Name  
Signature \_\_\_\_\_  
Post Office Address \_\_\_\_\_

Date \_\_\_\_\_  
Residence \_\_\_\_\_  
Citizenship \_\_\_\_\_

Seventh Inventor \_\_\_\_\_  
First Name Middle Initial Last Name  
Signature \_\_\_\_\_  
Post Office Address \_\_\_\_\_

## Assignment

Whereas, we, Atsushi Kikuchi, Ikuo Komatsu, Toshiki Yamada, Yoshihiro Kitano and Go, Saito, Japanese citizens, of c/o Toyo Seikan Group Corporate Research & Development, 22-4, Okazawa-cho, Hodogaya-ku, Yokohama-shi, Kanagawa-ken, Japan; c/o Toyo Seikan Group Corporate Research & Development, 22-4, Okazawa-cho, Hodogaya-ku, Yokohama-shi, Kanagawa-ken, Japan; c/o Toyo Seikan Group Corporate Research & Development, 22-4, Okazawa-cho, Hodogaya-ku, Yokohama-shi, Kanagawa-ken, Japan; c/o Toyo Seikan Group Corporate Research & Development, 22-4, Okazawa-cho, Hodogaya-ku, Yokohama-shi, Kanagawa-ken, Japan; and c/o Toyo Seikan Kaisha, Ltd., 1-8, Shimonoya-cho, Tsurumi-ku, Kawasaki, Japan, hereinafter called assignor(s), have invented certain improvements in Resin composition and multi-layer container using the same

and executed an application for Letters Patent of the United States of America therefor on November 21, 2001 ~~xxx~~ ; and

Whereas, Toyo Seikan Kaisha, Ltd., a corporation of Japan, having a place of business at 3-1, Uchisaiwai-cho 1-chome, Chiyoda-ku, Tokyo, Japan (assignee), desires to acquire the entire right, title, and interest in the application and invention, and to any United States patents to be obtained therefor;

Now therefore, for valuable consideration, receipt whereof is hereby acknowledged,

I/We, the above named assignor(s), hereby sell, assign and transfer to the above named assignee, its successors and assigns, the entire right, title and interest in the application and the invention disclosed therein for the United States of America, including the right to claim priority under 35 U.S.C. §119, and I/we request the Commissioner of Patents to issue any Letters Patent granted upon the invention set forth in the application to the assignee, its successors and assigns; and I/we will execute without further consideration all papers deemed necessary by the assignee in connection with the United States application when called upon to do so by the assignee.

I/We hereby authorize and request my attorneys SUGHRUE, MION, ZINN, MACPEAK & SEAS of 2100 Pennsylvania Avenue, N.W., Washington, D.C. 20037-3202 to insert here in parentheses (Application number \_\_\_\_\_, filed \_\_\_\_\_) the filing date and application number of said application when known.

Date: Nov. 21, 2001 Atsushi Kikuchi

Date: Nov. 21, 2001 Ikuo Komatsu

Date: Nov. 21, 2001 Toshiki Yamada

Date: Nov. 21, 2001 Yoshihiro Kitano

Date: Nov. 21, 2001 Go Saito

(Legalization not required for recording but is prima facie evidence of execution under 35 U.S.C. §261)